

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA  
V.

## CRIMINAL COMPLAINT

Leonel Salinas  
A201 106 469PRINCIPAL  
YOB: 1970United States District Court  
Southern District of Texas  
FILECase Number:  
M-14-2117 -M

NOV 01 2014

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 30, 2014 in Starr County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)


knowing or in reckless disregard of the fact that Elmer Manuel Tojin-Tzoy and Geronimo Vasquez-Mazariegos, citizens and nationals of Guatemala, along with one (1) other undocumented alien, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near La Grulla, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On October 30, 2014, at approximately 9:00 P.M., Texas Department of Public Safety Trooper J. Solis contacted the Rio Grande City Border Patrol Station and requested assistance in determining the immigration status of several subjects in a traffic stop.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No
  
Signature of Complainant

Sworn to before me and subscribed in my presence,

Nicolas Cantu Senior Patrol Agent  
Printed Name of Complainant

November 1, 2014  
Date

at McAllen, Texas  
City and State

Dorina Ramos, U. S. Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14-2117 -M**

**RE: Leonel Salinas**

**A201 106 469**

**CONTINUATION:**

Upon arrival, Border Patrol Agent O. Sanchez met with D.P.S. Trooper J. Solis at the intersection of FM 2360 and Highway 83 in Alto Bonito, Texas. Trooper J. Solis stated that he performed a vehicle stop on a 2006 maroon Nissan Pathfinder for disregarding a stop sign. Agents proceeded to question the driver, later identified as Leonel Salinas, a citizen of the United States and the three passengers in the vehicle, which were all found to be illegally in the United States with no documentation to reside or remain in the United States legally.

All subjects were transported to the Rio Grande City Border Patrol Station for processing.

**PRINCIPAL STATEMENT:**

Once at the Border Patrol Station, Leonel SALINAS was advised of his Miranda Rights by Border Patrol Agent R. Solis. SALINAS refused to sign the form stating that he understood his rights and was not willing to provide a sworn statement without the presence of an attorney.

**MATERIAL WITNESS STATEMENT:**

Once at the Border Patrol Station, both material witnesses were advised of their Miranda Rights in their preferred languages. Both stated that they understood their rights and were willing to provide a statement without the presence of an attorney.

1-Elmer Manuel Tojin-Tzoy stated that he is a citizen and national of Guatemala. He made arrangements to be smuggled into the United States in Reynosa, Tamaulipas, Mexico, and was going to pay a total amount of \$2,300.00 U.S.D. After illegally making entry into the U.S. he was guided through the brush by two guides for about one hour until arriving near the side of a road. Shortly after, a red truck picked him up along with two other subjects and took them to a house. Upon arriving at the house, a person later identified as Leonel SALINAS came outside and told them to go inside. After about an hour SALINAS told he and the others to get into a maroon four door SUV. He then stated that they drove for approximately thirty minutes before being pulled over by authorities. Tojin-Tzoy was shown an approved Department of Homeland Security photo lineup and was able to identify Leonel SALINAS as the driver of the vehicle.

2-Geronimo Vasquez-Mazariegos stated he is a citizen and national of Guatemala. He stated that he made arrangements to be smuggled into the U.S. with an unknown smuggler in Reynosa, Mexico. He told Agents that he was going to pay \$4,000 U.S.D. to get smuggled into the U.S. After crossing the Rio Grande River, he told Agents that he was guided through the brush until reaching a road. A vehicle then arrived and picked them up and took them to a house. Once inside the house, he stated that SALINAS told them that he was going to take them to McAllen, Texas. He then stated that they entered a maroon SUV and they drove for a few minutes before being stopped by police. Vasquez-Mazariegos was shown an approved Department of Homeland Security photo lineup and was able to identify Leonel SALINAS as the driver of the vehicle.